THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20638 2007

DATED:01-10-2007

BETWEEN:

Pothuganti Papaiah.

..... PETITIONER

AND

The Government of A.P.,
Rep., by its Tahsildar,
Mandal Revenue Office,
Shamshabad,
Rangareddy District.

.....RESPONDENT

_
_
_
_
_
_

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondent.

2. Petitioner seeks a writ of mandamus directing the respondent to pass appropriate orders on the petition, dated 21-09-2007, filed under Section 3 of the A.P.Rights in Land and Pattadar Pass Book Act, 1971 (for brevity, 'the Act') r/w Rule 15 of the rules made thereunder by giving opportunity to all the parties to the dispute within two weeks in the interest of justice.

3. It is the case of the petitioner that he and his family members are the owners of an extent of Ac.8.13 cents in Sy.No.7 of Satamrai village, Shamshabad mandal, Rangareddy District having inherited from their fore-fathers and out of the said land 50 guntas was sold in favour of the petitioner's brother-in-law vide gift deed in document No.6394/2007, dated 25-08-2007, and he applied for issuance of pattadar passbook and title deed, but he was informed that the entire land of an extent of Ac.8.13 cents stands in the name of one Vinod Bai and Mukhesh Bai vide proceedings No.ROR/40/95.

4. It is stated that the petitioner sold only an extent of 20 guntas in favour of the parents of the said Vinod Bai and Mukhesh Bai by registered sale deed in Document No.2637/1980 but not the entire land and therefore by playing fraud their names

have been entered in the revenue records. Accordingly, petitioner and six others filed a petition, dated 21-09-2007, under Section 3 of the Act r/w Rule 15 of the rules made thereunder to correct the entries in the revenue records relating to the land of an extent of Ac.7.33 guntas, and the said petition is pending.

5. I am of the opinion that as the said petition is said to have been filed only on 21-09-2007 it cannot be said that there was undue delay on the part of the respondent in not considering and disposing of the same. However, as the said petition is said to have been filed and pending respondent is directed to consider and dispose of the same after giving reasonable opportunity to the petitioner and others who filed the said petition on 21-09-2007 as well as the respondents therein i.e., Vinod Bai and Mukhesh Bai etc., in accordance with law without any undue delay.

6. Accordingly, Writ Petition is disposed of. No order as to costs.

_____

V.ESWARAIAH,J

01st October, 2007.
Tsy